

REMARKS

Summary of Office Action

Claims 1, 2, 5-7, 10-17, 24-30, 33-35, 38-45, and 52-58 were pending in this application.

Claims 1-2, 5-7, 10-17, 24-26, 29-30, 33-35, 38-45, 52-54, and 57-58 were rejected under 35 U.S.C. § 102(e) as being anticipated by Inoue et al., United States Patent No. 6,185,360 (hereinafter "Inoue").

Claims 27-28 and 55-56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue.

Summary of Applicants' Response to the Office Action

Claims 1-2, 7, 24, 29-30, 33-35, 39-45, and 52-58 are amended to more particularly define the claimed invention. The amendments are fully supported and justified by the originally filed specification at, e.g., page 27, paragraph [0070]; and pages 32-33, paragraph [0081]. The amendments are made solely to expedite prosecution of the present application. Applicants reserve the right to pursue any subject matter lost by these amendments in this or a continuing application.

After entry of the amendments, claims 1, 2, 5-7, 10-17, 24-30, 33-35, 38-45, and 52-58 remain pending in the present application. The rejections of these claims are respectfully traversed, as discussed below.

Summary of Applicants' Currently Pending Claims

Independent claims 1 and 29 are directed to user equipment that reduces cut-offs when programs are recorded. A user at the user equipment can make a selection of a program to record. The user equipment predicts a time change associated

with the selected program based on time changes for previous programs related to the program. The user equipment records the program based on the predicted time change to compensate for a time change.

Further patentable features and embodiments are set forth in dependent claims 2, 5-7, 10-17, 24-28, 30, 33-35, 38-45 and 52-58.

Applicants' Response to the Rejections under 35 U.S.C. § 102(e)

Claims 1-2, 5-7, 10-17, 24-26, 29-30, 33-35, 38-45, 52-54, and 57-58 were rejected under 35 U.S.C. § 102(e) as being anticipated by Inoue. Applicants traverse these rejection, as discussed below.

With respect to independent claims 1 and 29, applicants submit that Inoue does not show or suggest every feature of applicants' claims. In particular, applicants' claims 1 and 29 require the user equipment to predict a time change for a program selected to be recorded. In contrast, Inoue does not show or suggest user equipment that predicts a time change for a program selected to be recorded. Rather, Inoue describes "service additional information" that indicates a change in a program's broadcast time (see Inoue, col. 1, lines 22-30; FIG. 11C, step 8), and shows that this "service additional information showing change of program broadcasting time is received" by user equipment (Inoue, FIG. 11C, step 8; FIG. 12, step 17; emphasis added). Moreover, by its own words, Inoue admits that "when the broadcasting time of the reserved program is changed, . . . the invention is intended to provide an information receiving method and an information receiving apparatus" (Inoue, col. 1, lines 8-15). Therefore, the

inescapable conclusion is that, in Inoue, the service additional information showing a change of program's broadcasting time is received by user equipment but is not generated by the user equipment. It is generated elsewhere and transmitted to the user equipment. Accordingly, Inoue does not show or suggest user equipment that predicts a time change for a program selected to be recorded, as required by applicant's independent claims 1 and 29. Accordingly, the rejections of claims 1 and 29 based on Inoue should be withdrawn.

In view of the foregoing, applicants submit that independent claims 1 and 29 are allowable. Claims 2, 5-7, 10-17, 24-26, 30, 33-35, 38-45 and 52-54 depend from one of allowable claims 1 and 29, and are therefore also allowable.

Applicants' Response to the Rejections under 35 U.S.C. § 103(a)

Claims 27-28 and 55-56 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Inoue. These claims depend from independent claims 1 and 29, respectively, which are allowable for the reasons provided above. Accordingly, claims 27-28 and 55-56 are also allowable.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration in light of the foregoing remarks and a favorable action are respectfully requested.

Respectfully submitted,

Adam Saltzman

Adam M. Saltzman
Reg. No. 52,188
Agent for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
Tel.: (212) 596-9000
Fax : (212) 596-9090